

EDDIE BAZA CALVO
Governor



RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

October 4, 2011

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Unu Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

31-11-938
Office of the Speaker
Judith T. Won Pat, Ed.D.
Date 10/4/11
Time 4:00 PM
Received by [Signature]

Dear Madame Speaker:

Transmitted herewith is Substitute Bill No. 154-31 (COR) "AN ACT TO ADD A NEW SUBSECTION (a) TO §3104 AND A NEW SUBSECTION (a) TO §3105 OF CHAPTER 3, A NEW SUBSECTION (a) TO §20007 OF CHAPTER 20, AND A NEW SUBSECTION (a) TO §21007 OF CHAPTER 21, ALL OF TITLE 3, GUAM CODE ANNOTATED; AND TO ADD NEW SUBSECTIONS (a) AND (b) TO §2109 OF CHAPTER 21, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO THE REGISTRATION, EDUCATION CAMPAIGN AND VOTING PROCESS FOR THE PLEBISCITE ON POLITICAL STATUS FOR GUAM, ALL IN CONSULTATION WITH THE COMMISSION ON DECOLONIZATION", which was signed into law on September 30, 2011 as Public Law 31-92.

Senseramente,


EDDIE BAZA CALVO

10/8/07
LM

Attachment: copy of Bill

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session


CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Substitute Bill No. 154-31 (COR), "AN ACT TO ADD A NEW SUBSECTION (a) TO §3104 AND A NEW SUBSECTION (a) TO §3105 OF CHAPTER 3, A NEW SUBSECTION (a) TO §20007 OF CHAPTER 20, AND A NEW SUBSECTION (a) TO §21007 OF CHAPTER 21, ALL OF TITLE 3, GUAM CODE ANNOTATED; AND TO ADD NEW SUBSECTIONS (a) AND (b) TO §2109 OF CHAPTER 21, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO THE REGISTRATION, EDUCATION CAMPAIGN AND VOTING PROCESS FOR THE PLEBISCITE ON POLITICAL STATUS FOR GUAM, ALL IN CONSULTATION WITH THE COMMISSION ON DECOLONIZATION,"** was on the 19th day of September, 2011, duly and regularly passed.



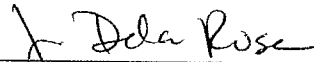
Judith T. Won Pat, Ed.D.
Speaker

Attested:



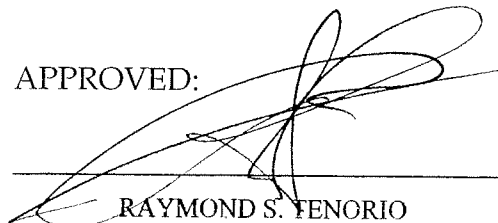
Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 20th day of Sept., 2011, at
4:10 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



RAYMOND S. FENORIO
Acting Governor of Guam

Date: **SEP 30 2011**

Public Law No. 31-92

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 154-31 (COR)

As substituted by the Committee on Rules,
Federal, Foreign and Micronesian Affairs, and
Human and Natural Resources; and further
substituted and amended on the Floor.

Introduced by:

Judith P. Guthertz, DPA
T. C. Ada
V. Anthony Ada
F. F. Blas, Jr.
B. J.F. Cruz
Chris M. Dueñas
Sam Mabini, Ph.D.
T. R. Muña Barnes
Adolpho B. Palacios, Sr.
v. c. pangelinan
Dennis G. Rodriguez, Jr.
R. J. Respicio
M. Silva Taijeron
Aline A.Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

**AN ACT TO *ADD* A NEW SUBSECTION (a) TO §3104
AND A NEW SUBSECTION (a) TO §3105 OF CHAPTER
3, A NEW SUBSECTION (a) TO §20007 OF CHAPTER 20,
AND A NEW SUBSECTION (a) TO §21007 OF CHAPTER
21, ALL OF TITLE 3, GUAM CODE ANNOTATED; AND
TO ADD NEW SUBSECTIONS (a) AND (b) TO §2109 OF
CHAPTER 21, TITLE 1, GUAM CODE ANNOTATED,
RELATIVE TO THE REGISTRATION, EDUCATION
CAMPAIGN AND VOTING PROCESS FOR THE
PLEBISCITE ON POLITICAL STATUS FOR GUAM,
ALL IN CONSULTATION WITH THE COMMISSION
ON DECOLONIZATION.**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1.** New §§ 3104(a) and 3105(a) are hereby *added* to Chapter 3 of
3 Title 3, Guam Code Annotated, to read:

4 **“§ 3104. Times for Registration.** Ten (10) days prior to any
5 general, primary or special election, the registration rolls *shall* be closed for
6 that election and no further affidavits of registration shall be accepted by the
7 Commission.

8 (b) **Exception.** For the purposes of registering eligible
9 persons to vote on the plebiscite relative to Guam’s political status,
10 the Commission, in consultation with the Commission on
11 Decolonization for the Implementation and Exercise of *Chamorro*
12 Self Determination, *shall* develop a methodology that will allow a
13 registration process at each of the island’s voting precincts and
14 Mayors’ offices.”

15 **“§ 3105. Place of Registration.** The registration of electors *shall*
16 be in progress at the main office of the Commission during such hours as the
17 office is open for business at all times prior to the closing of the registration
18 rolls. Electors may also be registered at such times and places within Guam
19 as the Commission *shall* deem advisable and convenient from the time
20 registration is open until twenty-one (21) days prior to an election.

21 (b) **Exception.** For the purposes of registering eligible
22 persons to vote on the plebiscite relative to Guam’s political status,
23 the Commission, in consultation with the Guam Commission on
24 Decolonization for the Implementation and Exercise of *Chamorro*
25 Self Determination, *shall* develop a methodology that will allow a
26 registration process at each of the island’s voting precincts and
27 Mayors’ offices.

1 **Section 2.** A new §20007(a) is hereby *added* to Chapter 20 of Title 3,
2 Guam Code Annotated, to read:

3 **“§ 20007. Times for Registration.** A person may register with the
4 *Chamorro* Registry at any time during the year, *except* at such times when
5 the Commission *shall* close the registration rolls for the purposes of
6 conducting elections or plebiscites. At such times, the registration rolls *shall*
7 be closed ten (10) days prior to such election or plebiscite.

8 (a) **Exception.** For the purposes of registering eligible
9 persons to vote on the plebiscite relative to Guam’s political status,
10 the Commission, in consultation with the Guam Commission on
11 Decolonization for the Implementation and Exercise of *Chamorro*
12 Self Determination, *shall* develop a methodology that will allow a
13 registration process at each of the island’s voting precincts and
14 Mayors’ offices.”

15 **Section 3.** A new §21007(a) is hereby *added* to Chapter 21 of Title 3,
16 Guam Code Annotated, to read:

17 **“§ 21007. Times for Registration.** A person may register with the
18 Guam Decolonization Registry at any time during the year, *except* at such
19 times when the Commission *shall* close the registration rolls for the purposes
20 of conducting the Political Status Plebiscite. At such times the registration
21 rolls *shall* be closed ten (10) days prior to such Political Status Plebiscite.

22 (a) **Exception.** For the purposes of registering eligible
23 persons to vote on the plebiscite relative to Guam’s political status,
24 the Commission, in consultation with the Commission on
25 Decolonization for the Implementation and Exercise of *Chamorro*
26 Self Determination, *shall* develop a methodology that will allow a

1 registration process at each of the island's voting precincts and
2 Mayors' offices."

3 **Section 4.** New Subsections (a) and (b) are hereby *added* to §2109 of
4 Chapter 21, Title 1, Guam Code Annotated, to read:

5 "(a) The University of Guam and the Guam Community College
6 may be included in the development and execution of the extensive public
7 education program for the purposes of fulfilling the educational outreach
8 provisions of this Chapter in order to ensure a successful plebiscite relative
9 to Guam's political status determination.

10 (b) Upon consultation with *I Maga'lahren Guåhan* and *I*
11 *Liheslaturan Guåhan* the Commission on Decolonization and the
12 Guam Election Commission *shall* determine the date for the
13 conducting of a Political Status Plebiscite, which *shall* take place
14 following the completion of the public education program for the
15 purposes of fulfilling the educational outreach provisions of this
16 Chapter."

17 **Section 5.** Federal funding provided to Guam from the Department of
18 Interior, or other sources, for education regarding political status or decolonization
19 *shall* be used by the Decolonization Commission for the public education program
20 and educational outreach provisions of Title 1 GCA, Chapter 21. Any unexpended
21 funds formerly allocated to the Guam Election Commission in FY 2011 for
22 education regarding political status *shall* remain with the Guam Election
23 Commission, and the appropriation *shall* carry forward until fully expended. The
24 aforementioned funding for the GEC *shall* be utilized in congruence with efforts
25 and mandates of the Decolonization Commission.

26 **Section 6.** The Chairperson of the Commission on Decolonization *shall*
27 submit a progress report within sixty (60) days of the enactment of this Act to *I*

1 *Liheslaturan Guåhan* (the Guam Legislature) which *shall* document the plans of
2 the Commission to hold the plebiscite on the political status for Guam, inclusive of
3 proposed procedures timelines.

4 **Section 7. Effective Date.** This Act *shall* be effective upon its enactment
5 into law. The Guam Election Commission *shall* propose the methodology as
6 contained in provisions of this Act, in consultation with the Commission on
7 Decolonization for the Implementation and Exercise of *Chamorro* Self
8 Determination, *no later than* thirty (30) days after the start of the first (1st) quarter
9 of the FY 2012 budget cycle of the government of Guam.

6

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

2011 (FIRST) Regular Session

Date: Sept. 19, 2011

VOTING SHEET

SBill No. 154-31(COR)

Resolution No. _____

Question: _____

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
ADA, V. Anthony	✓				
BLAS, Frank F., Jr.	✓				
CRUZ, Benjamin J. F.	✓				
DUENAS, Christopher M.	✓				
GUTHERTZ, Judith Paulette	✓				
MABINI, Sam	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RESPICIO, Rory J.	✓				
RODRIGUEZ, Dennis G., Jr.	✓				
SILVA TAIJERON, Mana	✓				
WON PAT, Judith T.	✓				
YAMASHITA, Aline A.	✓				

TOTAL

15

0

0

0

0

CERTIFIED TRUE AND CORRECT:


Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence

SENATOR RORY J. RESPICIO
MAJORITY LEADER

CHAIRPERSON
COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN
AFFAIRS; AND HUMAN & NATURAL RESOURCES



I Mina'trentai Unu na Liheslaturan Guåhan
THIRTY-FIRST GUAM LEGISLATURE

August 1, 2011

The Honorable Judith T. Won Pat, Ed.D.

I Mina'trentai Unu na Liheslaturan Guåhan

155 Hesler Place

Hagåtña, Guam 96910

RE: Committee Report on Bill No. 154-31 (COR) As Substituted

Hafa Adai Speaker Won Pat:

The Committee on Rules, Federal, Foreign & Micronesian Affairs, and Human and Natural Resources hereby reports out its findings and recommendations on **Substitute Bill No. 154-31 (COR) - "AN ACT TO AMEND TITLE 3 GUAM CODE ANNOTATED BY ADDING NEW SUBITEMS 3104(a) AND 3105(a) TO CHAPTER 3, ADDING A NEW SUBITEM 20007(a) TO CHAPTER 20, AND A NEW SUBITEM 21007(a); AND TO AMEND TITLE 1 GUAM CODE ANNOTATED BY ADDING A NEW SUBITEM 2109(a), AND AMENDING § 2110(a) AND § 2111 RELATIVE TO THE REGISTRATION, EDUCATION CAMPAIGN AND VOTING PROCESS FOR THE PLEBISCITE ON POLITICAL STATUS FOR GUAM, ALL IN CONSULTATION WITH THE COMMISSION ON DECOLONIZATION."**

Committee votes are as follows:

 0 TO DO PASS
 0 TO NOT PASS
 6 TO REPORT OUT ONLY
 0 TO ABSTAIN
 0 TO PLACE IN INACTIVE FILE

Very Truly Yours,


Rory J. Respicio

2011 AUG -3 PM 3:34
WJ

SENATOR RORY J. RESPICIO
MAJORITY LEADER

CHAIRPERSON
COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN
AFFAIRS; AND HUMAN & NATURAL RESOURCES



I Mina'trentai Unu na Liheslaturan Guåhan
THIRTY-FIRST GUAM LEGISLATURE

COMMITTEE REPORT ON SUBSTITUTE BILL NO. 154-31 (COR)

"AN ACT TO AMEND TITLE 3 GUAM CODE ANNOTATED BY ADDING NEW SUBITEMS 3104(a) AND 3105(a) TO CHAPTER 3, ADDING A NEW SUBITEM 20007(a) TO CHAPTER 20, AND A NEW SUBITEM 21007(a); AND TO AMEND TITLE 1 GUAM CODE ANNOTATED BY ADDING A NEW SUBITEM 2109(a), AND AMENDING § 2110(a) AND § 2111 RELATIVE TO THE REGISTRATION, EDUCATION CAMPAIGN AND VOTING PROCESS FOR THE PLEBISCITE ON POLITICAL STATUS FOR GUAM, ALL IN CONSULTATION WITH THE COMMISSION ON DECOLONIZATION."

SENATOR RORY J. RESPICIO

MAJORITY LEADER

CHAIRPERSON
COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN
AFFAIRS; AND HUMAN & NATURAL RESOURCES




I Mina'trentai Unu na Liheslaturan Guåhan
THIRTY-FIRST GUAM LEGISLATURE

August 1, 2011

MEMORANDUM

To: All Members
Committee on Rules, Federal, Foreign & Micronesian Affairs, and Human & Natural Resources

From: Senator Rory J. Respicio 

Subject: Committee Report on Bill No. 154-31 (COR) As Substituted

Transmitted herewith for your review and consideration is the **Committee Report on Substitute Bill No. 154-31 (COR) – “AN ACT TO AMEND TITLE 3 GUAM CODE ANNOTATED BY ADDING NEW SUBITEMS 3104(a) AND 3105(a) TO CHAPTER 3, ADDING A NEW SUBITEM 20007(a) TO CHAPTER 20, AND A NEW SUBITEM 21007(a); AND TO AMEND TITLE 1 GUAM CODE ANNOTATED BY ADDING A NEW SUBITEM 2109(a), AND AMENDING § 2110(a) AND § 2111 RELATIVE TO THE REGISTRATION, EDUCATION CAMPAIGN AND VOTING PROCESS FOR THE PLEBISCITE ON POLITICAL STATUS FOR GUAM, ALL IN CONSULTATION WITH THE COMMISSION ON DECOLONIZATION.”**

This report includes the following supporting documents:

- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. 154-31 (COR) As Substituted
- Copy of Bill No. 154-31(COR)
- Public Hearing Sign-in Sheet
- Referral of Bill No. 154-31(COR)
- Fiscal Note for Bill No. 154-31(COR)
- Public Hearing Notices
- Public Hearing Agenda
- Transcription of Roundtable on Political Status Bills, incl. Bill 154-31 (COR)
- Sign-in Sheets for Roundtable on Political Status Bills, incl. Bill 154-31 (COR)

Please take the appropriate action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me. *Si Yu'os Ma'åse!*

SENATOR RORY J. RESPICIO

MAJORITY LEADER

CHAIRPERSON
COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN
AFFAIRS; AND HUMAN & NATURAL RESOURCES



I Mina'trentai Unu na Liheslaturan Guåhan
THIRTY-FIRST GUAM LEGISLATURE

COMMITTEE VOTE SHEET

Substitute Bill No. 154-31 (COR) – “AN ACT TO AMEND TITLE 3 GUAM CODE ANNOTATED BY ADDING NEW SUBITEMS 3104(a) AND 3105(a) TO CHAPTER 3, ADDING A NEW SUBITEM 20007(a) TO CHAPTER 20, AND A NEW SUBITEM 21007(a); AND TO AMEND TITLE 1 GUAM CODE ANNOTATED BY ADDING A NEW SUBITEM 2109(a), AND AMENDING § 2110(a) AND § 2111 RELATIVE TO THE REGISTRATION, EDUCATION CAMPAIGN AND VOTING PROCESS FOR THE PLEBISCITE ON POLITICAL STATUS FOR GUAM, ALL IN CONSULTATION WITH THE COMMISSION ON DECOLONIZATION.”

	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Rory J. Respicio Chairperson				8/2/11 		
Senator Judith P. Guthertz Vice-Chairperson						
Speaker Judith T. Won Pat, Ed.D. Member				8/3/11 ✓		
Vice-Speaker Benjamin J.F. Cruz Member				8/3/11 		
Legislative Secretary Tina Rose Muña Barnes Member				8/3/11		
Senator Thomas C. Ada Member				8/3/11 ✓		
Senator vicente c. pangelinan Member						
Senator Dennis G. Rodriguez, JR. Member						
Senator Adolpho B. Palacios Member				8/3/11 ✓		
Senator Aline A. Yamashita, Ph.D. Member						
Senator Christopher M. Duenas Member						

SENATOR RORY J. RESPICIO

MAJORITY LEADER

CHAIRPERSON

COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN
AFFAIRS; AND HUMAN & NATURAL RESOURCES



I Mina'trentai Unu na Libeslaturan Guåhan

THIRTY-FIRST GUAM LEGISLATURE

COMMITTEE REPORT DIGEST

I. OVERVIEW

BILL NO. 154-31 (COR) - "AN ACT TO ADD A NEW SUB ITEM 3104(A) AND 3105(A) TO CHAPTER 3, AND ADD A NEW SUB ITEM 20007(A) TO CHAPTER 20, AND ADD A NEW SUB ITEM 21007(A) TO CHAPTER 21, ALL OF TITLE 3 GUAM CODE ANNOTATED AND TO ADD A NEW SUB ITEM 2109(A) AND AMEND SUB SECTIONS 2110(A) AND 2111 OF CHAPTER 21, TITLE 1 GUAM CODE ANNOTATED RELATIVE TO THE REGISTRATION, EDUCATION CAMPAIGN AND VOTING PROCESS FOR THE PLEBISCITE ON POLITICAL STATUS FOR GUAM" was introduced by Senator Judith P. Guthertz on April 15, 2011; and was subsequently referred to the Committee on Rules; Federal, Foreign & Micronesia Affairs; and Human and Natural Resources on April 18, 2011.

Senator Rory J. Respicio, Chairperson of the Committee on Rules; Federal, Foreign & Micronesia Affairs; and Human and Natural Resources conducted a roundtable discussion on Bill No. 154-31 on May 20, 2011 at 9:00 A.M. in the Legislature's Public Hearing Room, and conducted a public hearing on Bill 154-31 on, July 7, 2011 at 9:00 A.M. in the Legislature's Public Hearing Room to receive public testimony on the measure.

Public Notice Requirements

Public hearing notices were disseminated via e-mail to all senators and all main media broadcasting outlets on July 1, 2011 (5-Day Notice), and again on July 5, 2011 (48- Hour Notice), thereby meeting the noticing requirements of the Open Government Law.

Senators Present

Senator Rory J. Respicio, Chairperson
Senator Judith P. Guthertz, Vice-Chairperson
Speaker Judith T. Won Pat, Committee Member
Senator Thomas C. Ada, Committee Member
Senator Adolpho B. Palacios, Committee Member
Senator Aline A. Yamashita, Committee Member
Senator Christopher M. Duenas, Committee Member
Senator V. Anthony Ada

II. SUMMARY OF TESTIMONY & DISCUSSION

Senator Respicio called the hearing to order and read the title of Bill 154-31 for the record. He asked the Bill's author, Sen. Guthertz to give an overview of the bill.

Senator Guthertz said that her intent with the bill was simply to establish a date that eligible voters might be comfortable with for the plebiscite. As a proposal, she gave the primary election date of 2014, as well as hoping to establish a public education program for self-determination. The most significant part of this bill is that she is hoping that those who testify could give a date so that the island could finally move forward.

First to testify was **Mr. Jose Garrido** who said that whether by choice or not, he has to become involved in the bill that is being discussed. He neither supports nor opposes the bill. In the future, he hopes that an official invitation be sent to the task force chair, Commission on Decolonization, and the Guam Election Commission be involved in the plebiscite. He agreed with the way the election is to be held, and likes the 2014 date because it gives time for an education process. He said that there should be a discussion on the time for the days of when, for example, registration will be closed. Because the plebiscite is such an important issue, he suggested a stand-alone election instead of being mixed up with the general. He also said that he believes that a non-binding vote doesn't matter to anyone.

Senator Guthertz said "this bill does not say that it is non-binding that was Senator Barnes' bill, not mine."

Mr. Garrido said that he has been a member since 1997, and ever since then, the plebiscite has always been considered to be non-binding. He only supports a plebiscite that complies with the decolonization process. He said, that if we have a plebiscite that does not have the framework of the triad, then it is non-binding.

Senator Guthertz asked Mr. Garrido if he was saying that the United States won't support a plebiscite under the current law.

Mr. Garrido said that the U.S. would support the idea of the qualification of people who could participate in a plebiscite. The plebiscite must involve the process of the UN charter. He said that even our own public law incorporates language and cites resolutions from the UN. So, if we're going to have a plebiscite, we need to have that process.

Senator Guthertz said that the current law does allow for that process and recognition; that is the current law, Guam is bound by that law, and this bill doesn't change that. All this does is set a date, that's the point of this bill, to set a date.

Mr. Garrido pointed out that the bill doesn't state what will be done with the election results because there is no language in the bill that says the results are binding or non-binding.

Senator Guthertz said her vision for the bill is to shoot for a time frame. Her hope is that as a result of the passage of this bill that the Legislature will move forward and work with the UN and US government to ensure that this plebiscite is recognized. That is the goal.

Mr. Garrido said he was concerned that the bills being passed might lead to an exercise that does not comply with the process of decolonization, and that result might be considered binding when it was conducted without any application of the UN charter.

Senator Guthertz said that the language that to which Mr. Garrido was referring could be incorporated into this bill. She said that although she is not eligible to vote in the plebiscite, but for those who are, she is trying to move the process forward.

Mr. Garrido said his perspective is that the self-determination depends on us. The United States government is obligated to sponsor the activity for the development of our political status. The right to self-determination also extends to the right to re-unify Guam and Saipan. He asked that everything in the bill should read "in consultation with the Commission on Decolonization."

Senator Respicio thanked Mr. Garrido and Senator Guthertz in regards to the issue. He noted that several months earlier, Governor Calvo committed to starting the Commission on Decolonization. He thanked Mr. Garrido again for his participation.

There being no additional testimony, **Senator Respicio** adjourned the hearing and declared Bill 154-31 publicly heard.

III. FINDINGS & RECOMMENDATIONS

The Committee on Rules; Federal, Foreign & Micronesian Affairs; and Human & Natural Resources finds that Bill No. 154-31 (COR) requires amendments, based on testimony and findings. It is the recommendation of the Committee that Bill No. 154-31 (COR) be amended and substituted to ensure that the bill include language assuring that the self-determination election will be conducted “in consultation with the Commission on Decolonization,” and that provisions for an education campaign be strengthened.

Amendments to the language of the introduced bill are indicated by ‘double underlines’ in the substitute version of Bill 154 included in this report.

The Committee on Federal, Foreign & Micronesian Affairs hereby submits, for consideration by *I Mina'trentai Unu Na Liheslaturan Guåhan*, this report on Substitute Bill No. 154-31 (COR) - “AN ACT TO AMEND TITLE 3 GUAM CODE ANNOTATED BY ADDING NEW SUBITEMS 3104(a) AND 3105(a) TO CHAPTER 3, ADDING A NEW SUBITEM 20007(a) TO CHAPTER 20, AND A NEW SUBITEM 21007(a); AND TO AMEND TITLE 1 GUAM CODE ANNOTATED BY ADDING A NEW SUBITEM 2109(a), AND AMENDING § 2110(a) AND § 2111 RELATIVE TO THE REGISTRATION, EDUCATION CAMPAIGN AND VOTING PROCESS FOR THE PLEBISCITE ON POLITICAL STATUS FOR GUAM, ALL IN CONSULTATION WITH THE COMMISSION ON DECOLONIZATION”, with the recommendation to REPORT OUT ONLY.

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) REGULAR SESSION

2011 APR 15 AM 11:08
kua

Bill No. 154-31 (cor)

Introduced by:

Judith P. Gutherz, DPA

AN ACT TO ADD A NEW SUB ITEM 3104(A) AND 3105(A) TO CHAPTER 3, AND ADD A NEW SUB ITEM 20007(A) TO CHAPTER 20, AND ADD A NEW SUB ITEM 21007(A) TO CHAPTER 21, ALL OF TITLE 3 GUAM CODE ANNOTATED AND TO ADD A NEW SUB ITEM 2109(A) AND AMEND SUB SECTIONS 2110(A) AND 2111 OF CHAPTER 21, TITLE 1 GUAM CODE ANNOTATED RELATIVE TO THE REGISTRATION, EDUCATION CAMPAIGN AND VOTING PROCESS FOR THE PLEBISCITE ON POLITICAL STATUS FOR GUAM.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Sub items 3104(a) and 3105(a) are hereby added to Chapter 3, Title 3 Guam Code Annotated:

“§ 3104. Times for Registration. Ten (10) days prior to any general, primary or special election, the registration rolls shall be closed for that election and no further affidavits of registration shall be accepted by the Commission.

a) Exception: For the purposes of registering eligible persons to vote on the plebiscite relative to Guam’s political status, the Commission shall develop a methodology that will allow a registration process at each of the islands voting precincts. This process shall coincide with the hours and date of the Primary Election and General Election of 2012.

§ 3105. Place of Registration. The registration of electors shall be in progress at the main office of the Commission during such hours as the office is open for business at all times prior to the closing of the registration rolls. Electors may also be

1 registered at such times and places within Guam as the Commission shall deem
2 advisable and convenient from the time registration is open until twenty-one (21) days
3 prior to an election.

4 a) Exception: For the purposes of registering eligible persons to vote on the
5 plebiscite relative to Guam's political status, the Commission shall develop a
6 methodology that will allow a registration process at each of the islands voting
7 precincts. This process shall coincide with the hours and date of the Primary Election
8 and General Election of 2012."

9 **Section 2.** Sub item 20007(a) is hereby added to Chapter 20, Title 3 Guam
10 Code Annotated:

11 **"§ 20007. Times for Registration.** A person may register with the Chamorro
12 Registry at any time during the year except at such times when the Commission shall
13 close the registration rolls for the purposes of conducting elections or plebiscites. At
14 such times, the registration rolls shall be closed ten (10) days prior to such election or
15 plebiscite.

16 a) Exception: For the purposes of registering eligible persons to vote on the
17 plebiscite relative to Guam's political status, the Commission shall develop a
18 methodology that will allow a registration process at each of the islands voting
19 precincts. This process shall coincide with the hours and date of the Primary Election
20 and General Election of 2012."

21 **Section 3.** Sub item 21007(a) is hereby added to Chapter 21, Title 3 Guam
22 Code Annotated:

23 **"§21007. Times for Registration.** A person may register with the Guam
24 Decolonization Registry at any time during the year, except at such times when the
25 Commission shall close the registration rolls for the purposes of conducting the

1 Political Status Plebiscite. At such times the registration rolls shall be closed ten (10)
2 days prior to such Political Status Plebiscite.

3 a) Exception: For the purposes of registering eligible persons to vote on the
4 plebiscite relative to Guam's political status, the Commission shall develop a
5 methodology that will allow a registration process at each of the islands voting
6 precincts. This process shall coincide with the hours and date of the Primary Election
7 and General Election of 2012."

8 **Section 4.** Sub item 2109(a) is hereby added, sub section 2110(a) is hereby
9 amended, and sub section 2111 is hereby amended, all of Chapter 21, Title 1 Guam
10 Code Annotated to read:

11 **"§ 2109. Public Information Program.** The Commission, in conjunction with
12 the Commission's task forces shall conduct an extensive public education program,
13 throughout the island, based on the position papers submitted by each task force.

14 "(a) The University of Guam and the Guam Community College shall be
15 commissioned to execute an educational campaign for the proposes of fulfilling the
16 educational outreach provisions of this chapter in order to ensure a successful
17 plebiscite relative to Guam's political status determination.

18 **§ 2110. Plebiscite Date and Voting Ballot.**

19 (a) The Guam Election Commission shall conduct a 'Political Status Plebiscite',
20 at which the following question, which shall be printed in both English and
21 *Chamorro*, shall be asked of the eligible voters:

22 In recognition of your right to self-determination, which of the following
23 political status options do you favor? (Mark ONLY ONE):

24 1. ~~Independence~~ Independence ()

2. Free Association with the United States of America ()

3. Statehood ().

1 Persons eligible to vote shall include those persons designated as Native
2 Inhabitants of Guam, as defined within this Chapter of the Guam Code Annotated,
3 who are eighteen (18) years of age or older on the date of the Political Status
4 Plebiscite' and are registered voters on Guam.

5 The 'Political Status Plebiscite' mandated in Subsection (a) of this Section shall
6 be held on a the date of the 2014 General Primary Election ~~at which seventy percent~~
7 ~~(70%) of~~ by eligible voters, pursuant to this Chapter, have been registered as
8 determined and conducted by the Guam Election Commission.

9 **§ 2111. Run-Off Plebiscite.** If one political status does not receive the majority
10 votes cast in the above plebiscite, a run-off plebiscite shall be held ~~sixty (60) days~~
11 ~~from the date thereof~~ during the date of the 2014 General Election between the two (2)
12 political status options receiving the highest number of votes.”

13 **Section 5.** Effective Date: This Act shall take effect upon enactment into law.
14 The Commission shall propose the methodology as contained in provisions of this Act
15 no later than thirty (30) days after the start of the First (1st) Quarter of the 2012
16 Budget cycle of the Government of Guam.

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) REGULAR SESSION

Bill No. 154-31 (COR)

As Substituted by the Committee on Rules;
Federal, Foreign and Micronesian Affairs; and
Human and Natural Resources.

Introduced by:

J.P. Guthertz, DPA

**AN ACT TO AMEND TITLE 3 GUAM CODE ANNOTATED
BY ADDING NEW SUBITEMS 3104(a) AND 3105(a) TO
CHAPTER 3, ADDING A NEW SUBITEM 20007(a) TO
CHAPTER 20, AND A NEW SUBITEM 21007(a); AND TO
AMEND TITLE 1 GUAM CODE ANNOTATED BY
ADDING A NEW SUBITEM 2109(a), AND AMENDING §
2110(a) AND § 2111 RELATIVE TO THE REGISTRATION,
EDUCATION CAMPAIGN AND VOTING PROCESS FOR
THE PLEBISCITE ON POLITICAL STATUS FOR GUAM,
ALL IN CONSULTATION WITH THE COMMISSION ON
DECOLONIZATION.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Subitems 3104(a) and 3105(a) are hereby added to Chapter

3, Title 3 Guam Code Annotated to read:

“§ 3104. Times for Registration. Ten (10) days prior to any
general, primary or special election, the registration rolls shall be
closed for that election and no further affidavits of registration shall
be accepted by the Commission.

1 a) Exception: For the purposes of registering eligible
2 persons to vote on the plebiscite relative to Guam's political
3 status, the Commission, in consultation with the Commission
4 on Decolonization for the Implementation and Exercise of
5 Chamorro Self Determination, shall develop a methodology
6 that will allow a registration process at each of the islands
7 voting precincts. This process shall coincide with the hours and
8 dates of the Primary Election and General Election of 2012."

9 **"§ 3105. Place of Registration.** The registration of electors shall
10 be in progress at the main office of the Commission during such
11 hours as the office is open for business at all times prior to the closing
12 of the registration rolls. Electors may also be registered at such times
13 and places within Guam as the Commission shall deem advisable
14 and convenient from the time registration is open until twenty-one
15 (21) days prior to an election.

16 a) Exception: For the purposes of registering eligible
17 persons to vote on the plebiscite relative to Guam's political
18 status, the Commission, in consultation with the Guam
19 Commission on Decolonization for the Implementation and

1 Exercise of Chamorro Self Determination, shall develop a
2 methodology that will allow a registration process at each of
3 the islands voting precincts. This process shall coincide with the
4 hours and dates of the Primary Election and General Election of
5 2012."

6 **Section 2.** Subitem 20007(a) is hereby added to Chapter 20, Title 3
7 Guam Code Annotated:

8 **"§ 20007. Times for Registration.** A person may register with
9 the Chamorro Registry at any time during the year except at such
10 times when the Commission shall close the registration rolls for the
11 purposes of conducting elections or plebiscites. At such times, the
12 registration rolls shall be closed ten (10) days prior to such election or
13 plebiscite.

14 a) **Exception:** For the purposes of registering eligible
15 persons to vote on the plebiscite relative to Guam's political
16 status, the Commission, in consultation with the Guam
17 Commission on Decolonization for the Implementation and
18 Exercise of Chamorro Self Determination, shall develop a
19 methodology that will allow a registration process at each of

1 the island's voting precincts. This process shall coincide with
2 the hours and dates of the Primary Election and General
3 Election of 2012."

4 **Section 3.** Subitem 21007(a) is hereby added to Chapter 21, Title 3
5 Guam Code Annotated:

6 **"§21007. Times for Registration.** A person may register with
7 the Guam Decolonization Registry at any time during the year,
8 except at such times when the Commission shall close the registration
9 rolls for the purposes of conducting the Political Status Plebiscite. At
10 such times the registration rolls shall be closed ten (10) days prior to
11 such Political Status Plebiscite.

12 a) **Exception:** For the purposes of registering eligible
13 persons to vote on the plebiscite relative to Guam's political
14 status, the Commission, in consultation with the Commission
15 on Decolonization for the Implementation and Exercise of
16 Chamorro Self Determination, shall develop a methodology
17 that will allow a registration process at each of the islands
18 voting precincts. This process shall coincide with the hours and
19 date of the Primary Election and General Election of 2012."

1 **Section 4.** Subitem 2109(a) is hereby added, and §§ 2110(a) and 2111,
2 all of Chapter 21, Title 1 Guam Code Annotated, are hereby amended to
3 read:

4 **“§ 2109. Public Information Program.** The Commission, in
5 conjunction with the Commission’s task forces shall conduct an
6 extensive public education program, throughout the island, based on
7 the position papers submitted by each task force.

8 (a) The University of Guam and the Guam Community
9 College shall be included in the development and execution of
10 the extensive public education program for the proposes of
11 fulfilling the educational outreach provisions of this chapter in
12 order to ensure a successful plebiscite relative to Guam’s
13 political status determination.”

14 **“§ 2110. Plebiscite Date and Voting Ballot.** (a) The Guam
15 Election Commission shall conduct a ‘Political Status Plebiscite’, at
16 which the following question, which shall be printed in both English
17 and Chamorro, shall be asked of the eligible voters:

18 “In recognition of your right to self-determination, which of the
19 following political status options do you favor? (Mark ONLY ONE):

1 1. Independence ()

2 2. Free Association with the United States of America ()

3 3. Statehood ().

4 Persons eligible to vote shall include those persons designated
5 as Native Inhabitants of Guam, as defined within this Chapter of the
6 Guam Code Annotated, who are eighteen (18) years of age or older
7 on the date of the 'Political Status Plebiscite' and are registered voters
8 on Guam.

9 The 'Political Status Plebiscite' mandated in Subsection (a) of
10 this Section shall be held on a the date of the 2014 General Primary
11 Election ~~at which seventy percent (70%) of~~ for eligible voters,
12 pursuant to this Chapter, who have been registered as determined
13 and conducted by the Guam Election Commission."

14 "**§ 2111. Run-Off Plebiscite.** If one political status does not
15 receive the majority of votes cast in the above plebiscite, a run-off
16 plebiscite shall be held ~~sixty (60) days from the date thereof~~ for
17 eligible voters, pursuant to this Chapter, during the 2014 General
18 Election between the two (2) political status options receiving the
19 highest number of votes."

1 **Section 5. “Effective Date:** The Effective Date of this Act shall be the
2 date of its enactment into law. The Guam Election Commission shall
3 propose the methodology as contained in provisions of this Act, in
4 consultation with the Commission on Decolonization for the
5 Implementation and Exercise of Chamorro Self Determination, no later
6 than thirty (30) days after the start of the First (1st) Quarter of the 2012
7 Budget cycle of the Government of Guam.”

-0-

**Public Hearing
Sign-in Sheet(s)
for Bill No. 154-31 (COR)**

SENATOR RORY J. RESPICIO
MAJORITY LEADER



CHAIRPERSON
COMMITTEE ON RULES, FEDERAL, FOREIGN & MICRONESIAN
AFFAIRS; AND HUMAN & NATURAL RESOURCES

I Mind'trentai Unu na Liheslaturan Guåhan
THIRTY-FIRST GUAM LEGISLATURE

PUBLIC HEARING SIGN-IN SHEET

Thursday, July 7, 2011-9:00 AM

I Liheslatura • Public Hearing Room • Hagåtña, Guam

Bill No. 154-31 (COR) – J.P. Guthertz – “An act to add a new sub Item 3104(a) and 3105(a) to Chapter 3, and add a new sub Item 20007(a) to Chapter 20, and add a new sub Item 21007(a) to Chapter 21, all of Title 3 Guam Code Annotated and to add a new sub Item 2109(a) and amend sub sections 2110(a) and 2111 of Chapter 21, Title 1 Guam Code Annotated relative to the registration, education campaign and voting process for the plebiscite on political status for Guam.”

NAME	AGENCY OR ORGANIZATION	SUPPORT? OPPOSE?	WRITTEN TESTIMONY	ORAL TESTIMONY	PHONE NUMBER	EMAIL ADDRESS
Jose Wilton Garrido	CHR. TFFA - COD	—		—	632-7968	HUMATAK GUAM. NET Jose.Garrido@Guam.GOV

**Fiscal Note on
Bill No. 154-31 (COR)**

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 154-31**

An act to add a new Sub Item 3104(A) and 3105(A) to Chapter 3, and add a new Sub Item 20007(A) to Chapter 20, and add a new Sub Item 21007(A) to Chapter 21, all of Title 3 Guam Code Annotated and to add a new Sub Item 2109(A) and amend Sub Sections 2110(A) and 2111 of Chapter 21, Title 1 Guam Code Annotated relative to the registration, education campaign and voting process for the plebiscite on political status for Guam.

Department/Agency Appropriation Information

Dept./Agency Affected: Guam Election Commission	Dept./Agency Head: Maria I.D. Pangelinan, Executive
Department's General Fund (GF) appropriation(s) to date:	1,155,388
Department's Other Fund (Specify) appropriation(s) to date:	-
Total Department/Agency Appropriation(s) to date:	\$1,155,388

Fund Source Information of Proposed Appropriation

	General Fund:	(Specify Special Fund):	Total:
FY 2010 Unreserved Fund Balance ¹		\$0	\$0
FY 2011 Adopted Revenues	\$0	\$0	\$0
FY 2011 Appro. (P.L. 30-196)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill

	One Full Fiscal Year	For Remainder of FY 2011 (if applicable)	FY 2012	FY 2013	FY 2014	FY 2015
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0

1. Does the bill contain "revenue generating" provisions? / / Yes /x/ No
If Yes, see attachment
2. Is amount appropriated adequate to fund the intent of the appropriation? /x/ N/A / / Yes / / No
If no, what is the additional amount required? \$ /x/ N/A
3. Does the Bill establish a new program/agency? / / Yes /x/ No
If yes, will the program duplicate existing programs/agencies? / / N/A / / Yes /x/ No
Is there a federal mandate to establish the program/agency? / / Yes /x/ No
4. Will the enactment of this Bill require new physical facilities? /x/ Yes / / No
5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: /x/ Yes / / No
/x/ Requested agency comments not received by due date / / Other: _____

Analyst: Dina P. Rivera Date: 4/27/11 Director: Benita A. Manglona Date: 4/29/11
Dina P. Rivera Benita A. Manglona, Director

Footnotes:

The Bill has a potential for additional funding impact. However, in its present form, that impact cannot be determined at this time.

**Referral of
Bill No. 154-31 (COR)**



COMMITTEE ON RULES

I Mina'trentai Unu na Liheslaturan Guåhan • The 31st Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

MAJORITY MEMBERS:

Speaker
Judith T. Won Pat

Vice Speaker
Benjamin J. F. Cruz

Senator
Tina Rose Muña Barnes
LEGISLATIVE SECRETARY
MAJORITY WHIP

Senator
Dennis G. Rodriguez, Jr.
ASST. MAJORITY WHIP

Senator
Thomas C. Ada

Senator
Adolpho B. Palacios, Sr.

Senator
vicente c. pangelinan

MINORITY MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Duenas

April 18, 2011

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio
Chairperson, Committee on Rules

Subject: Referral of Bill Nos. 152-31 (COR) through 155-31 (COR)

As Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 152-31(COR) through 155-31 (COR).

Please ensure that the subject bills are referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all Senators of *I Mina'trentai Unu na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os ma'åse!

(6) Attachments

2011 APR 20 AM 11:57

I Mina'Trentai Unu Na Liheslaturan Guåhan

Bill Log Sheet

April 15, 2011

Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	120 Day Deadline	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date) Passed? Failed? Vetoed? Overridden? Public Law?
154-31 (COR)	Judith P. Guthertz, DPA	AN ACT TO ADD A NEW SUB ITEM 3104(A) AND 3105(A) TO CHAPTER 3, AND ADD A NEW SUB ITEM 20007(A) TO CHAPTER 20, AND ADD A NEW SUB ITEM 21007(A) TO CHAPTER 21, ALL OF TITLE 3 GUAM CODE ANNOTATED AND TO ADD A NEW SUB ITEM 2109(A) AND AMEND SUB SECTIONS 2110(A) AND 2111 OF CHAPTER 21, TITLE 1 GUAM CODE ANNOTATED RELATIVE TO THE REGISTRATION, EDUCATION CAMPAIGN AND VOTING PROCESS FOR THE PLEBISCITE ON POLITICAL STATUS FOR GUAM.	4/15/11 11:08 a.m.	4/18/11		Committee on Rules, Federal Foreign & Micronesian Affairs and Human & Natural Resources			

**Public Hearing
Notices & Agenda
for Bill No. 154-31 (COR)**